



California Governor's Office of Emergency Services
Disability Advisory Committee Bylaws

2014

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Article I: Introduction & Purpose

Section 1: Introduction

The Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973 require employers to ensure that individuals with disabilities are treated fairly and equally. These laws prohibit discrimination based on a disability. Also, these laws require employers to provide reasonable accommodations to allow employees with disabilities to perform the essential functions of a job.

In addition, California Government Code sections 19230-19237 require all state agencies to develop and implement an equal employment opportunity program to ensure that persons with disabilities have access to job positions in state government on an equal and a competitive basis. As part of this effort, all state agencies are required to establish a disability advisory committee. Specifically, Government Code Section 19795(b) states:

"Each State agency or department shall establish a committee of employees who are individuals with a disability to advise the head of the agency on matters relating to the formation and implementation of a plan to overcome and correct any underrepresentation . . ."

These bylaws set forth the policies for the Governor's Office of Emergency Services Disability Advisory Committee (DAC).

Section 2: Purpose:

The DAC is to advise the Director/Deputy Director on matters relating to California Government Code section 19795(b) in an effort to enhance employment and promotional opportunities for individuals with disabilities and to provide a process for effective implementation of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act by Cal OES.^{i ii iii}

The DAC will:

- a) Advise the Director/Chief Deputy Director regarding Equal Employment Opportunities for employees with disabilities, including reasonable accommodation policies and procedures.
- b) Advise the Director/Chief Deputy Director regarding policies that will improve: Cal OES' personnel practices and employment opportunities for persons with disabilities; the timely procurement of user-friendly technology for employees with disabilities; and awareness of emerging employment policies and practices for individuals with disabilities.
- c) Establish liaisons with groups and organizations that promote opportunities for individuals with disabilities in the workforce.
- d) Advise on issues related to emergency evacuation plans for staff with disabilities.
- e) Promote, coordinate, and develop Cal OES' observance of National Disability Employment Awareness Month (NDEAM).

Article II: Operating Parameters

Section 1: Staff Time

The DAC member's supervisor may approve up to eight (8) per month for DAC activities. Subject to the discretion and approval of the DAC member's supervisor, additional hours may be worked under certain circumstances.

Section 2: Support Services

Support services, such as interpreters, readers, or note-takers may be necessary for meetings or other activities of the DAC. The DAC Chairperson will assist in making these accommodations. All meeting locations will be accessible to persons with disabilities and conform to state policy regarding state-sponsored meeting locations.

Section 3: Communication

No letters, memos, communications, or actions are to be undertaken without the consensus of the DAC members and DAC Chairperson.

Section IV: Travel

Travel must be preapproved by the committee member's direct supervisor and submitted and approved through the normal Cal OES travel request process.

Article III: Membership

Section 1: Membership

California Government Code Section 19795(b) requires that all department employees be invited to serve on the DAC committee and that appropriate steps be taken to establish a committee comprised of Cal OES employees with disabilities or employees who are interested in issues relating to disabilities. Individuals with disabilities will be given membership priority in order to fulfill the requirement that two-thirds of the committee's membership be comprised of individuals with disabilities. Also, geographical and department program representation may be considered.

Section 2: Term of Appointment

Appointments to the DAC will be for a two-year term. The program year for the committee is July 1 through June 30. Any DAC member may reapply for and be appointed to the DAC for an additional two year term. A member can serve for an unlimited number of terms.

Section 3: Appointment of Vacancies

The DAC shall maintain a list of qualified applicants who are interested in committee membership.

Article IV: Meetings

Section 1: Regular Meetings

The DAC will establish an annual calendar of meetings which will be posted on the Cal OES Intranet website. Ten (10) days prior to each meeting, the DAC Chairperson shall issue the DAC Agenda\Notice of Meeting to all committee members and post the DAC Agenda\Notice of Meeting on the Cal OES intranet.

Section 2: Location

The principal meeting place shall be in Sacramento. DAC members may call in from off-site teleconference locations. All meeting locations will be accessible to persons with disabilities and conform to state policy regarding state-sponsored meeting locations.

Section 3: Minutes

The DAC Secretary will be responsible for taking, transcribing and sending meeting minutes to the Chairperson to review and distribute to members.

Section 4: Quorum

A quorum shall be the majority of the voting members currently serving on the DAC.

Article V: Officers

Section 1: Titles

The officers of the DAC shall consist of a Chairperson, Vice Chairperson, and Secretary.

Section 2: Duties

a) Chairperson

The Chairperson shall be responsible for conducting meetings, developing and distributing an agenda, with input from the committee and staff liaison and other interested parties. The Chairperson will be a nonvoting member to allow the Chairperson to conduct the meeting in as fair and objective manner as possible. However, the Chairperson will be entitled to vote when there is a tie. The Chairperson is also responsible for making sure that all DAC communications are reviewed by the EEO Officer before being distributed.

b) Vice Chairperson

The Vice Chairperson will assume the responsibilities of the Chairperson in the event the Chairperson is unavailable.

c) Secretary

The Secretary has the responsibility of recording and maintaining the DAC meeting notes and performing other administrative work when necessary.

Section 3: Term of Office

Officers will serve two-year terms under the direction, and at the pleasure of the Committee and the Director/Deputy Director.

Section 4: Elections

The Officers shall be elected by a majority vote of the DAC membership in May of each year. Nominations shall be submitted by the membership at the May meeting of each year. Nominations may be held at other regular meetings to fill a vacancy of one of the officers. (Attached are the nomination forms.)

Article VI: Resignations and Terminations

Section 1: Resignations

A member and/or officer of the DAC shall submit a written resignation to the EEO Officer. The resignation shall be effective when it is acknowledged by the EEO Officer and Chairperson in writing.

Section 2: Terminations

A person's membership terminates when he/she is no longer employed by Cal OES.

Section III: Absences

Members will make a good faith effort to advise the Chairperson 48 hours in advance of any absence. Members must also contact their designated alternate members to attend the meetings if they will be absent. Any member missing two consecutive meetings without good cause, as determined by the Chairperson, will need to meet with the EEO Officer and Chairperson to discuss continuation in the DAC membership.

Article VII: Subcommittees

Section 1: Membership

The DAC Chairperson may appoint subcommittees as necessary to carry out the activities and responsibilities of the DAC. Subcommittees shall consist of at least one member of the DAC and may include non-committee representatives as needed. The DAC Chairperson shall request from the non-committee representative's supervisor, permission for the non-committee representative to participate in the activity of the subcommittee. The EEO Office is to be copied on all communications regarding subcommittees.

Section 2: Coordination

The Vice Chairperson shall be responsible for the coordination of the subcommittees.

Section 3: Reports and Findings

All reports and findings of subcommittees shall be presented to the full DAC for approval and then released for presentation by the DAC to the Director/Deputy Director or any other official or program within the Department, as appropriate.

Article VIII: Amending the Bylaws

Section 1: Submission

Proposed amendments to the bylaws shall be submitted to the DAC at a regularly scheduled meeting. The proposed changes shall be introduced and printed in the DAC minutes at least one month prior to DAC action on the proposed change(s).

Section 2: Ratification

Proposed amendments to the bylaws must be ratified by three-fourths of the voting members.

ⁱ California Code, Government Code Section 19230 through 19799 (Affirmative Action)

ⁱⁱ Rehabilitation Act of 1973

ⁱⁱⁱ Americans with Disabilities Act of 1990 and 2010